

**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE M.N.KRISHNAN**

**THURSDAY, THE 11TH OCTOBER 2007 / 19TH ASWINA 1929**

**Tr.P(C).No. 219 of 2007()**

**OP.315/2006 of FAMILY COURT,ERNAKULAM**

.....

**PETITIONER**

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**SHANTO,AGED 40 YEARS  
S/O. THARAYIL V EETIL, KURIYAPPU,  
CHERUKADAPPURAM KARA  
KUTHIYATHODU NORTH P.O.  
PUTHENVELIKARA VILLAGE, PARAVUR TALUK.**

**BY ADV. SRI.P.K.SAJEEV**

**RESPONDENT**

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**SHIJI,  
D/O.CHIRAYATHVEETIL THOMAS,  
DESOM KARA, CHENGAMANAD VILLAGE  
ALUVA TALUK.**

**BY**

**THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 11/10/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:**

**M.N. KRISHNAN, J.**  
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**Tr.P.C. NO. 219 OF 2007**  
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**Dated this the 11<sup>th</sup> day of October, 2007.**

**J U D G M E N T**

This Transfer Petition is filed seeking to withdraw O.P.315/06 pending before the Family Court, Ernakulam and transfer the same to the Munsiff Court, North Paravur to be tried along with O.S.687/05. The Family Court presided over by a District Judge is given jurisdiction to try the cases relating to matrimonial disputes which include the dispute regarding the properties as envisaged under Section 7(1)(c) of the Family Court's Act. It is a special jurisdiction conferred upon the said Court. A case which is filed contending that it is maintainable there cannot be transferred to a Court of inferior jurisdiction for trial and disposal. Therefore, the Tr.P.C. lacks merit and it is dismissed.

**M.N. KRISHNAN, JUDGE.**

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